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HONOLULU, H. T., FRIDAY AUGUST 16, 1901.—SEMI-WEEKLY.

WHOLE No. 2807.

## JUDGE AND JURY CONFLICT

### Gear Tells Grand Jurors to Quit Work.

### HABEAS CORPUS CAUSES SPLIT

### Circuit Judge Scores Chief Justice and a Question of Veracity is Raised.

THE flames which had been smoldering for a week in the Circuit Court because of the action of the Attorney General's Department in the habeas corpus cases burst forth in a fiery outbreak yesterday afternoon which involved Chief Justice Frear, Judge Gear, Deputy Attorney General Cathcart and the gentlemen of the Grand Jury. As a result Mr. Cathcart was fined fifty dollars for contempt, which was afterwards remitted by Judge Gear, and the Grand Jury will be discharged Tuesday without considering the cases of the prisoners released by the court upon habeas corpus and afterwards rearrested.

During the morning there were several indications of a coming storm, but it was not until afternoon that the climax came. The Grand Jury was called in several times in the morning, when Judge Gear inquired as to their action in the habeas corpus cases. Deputy Cathcart had been asked by the Grand Jury for advice, to which the court objected, upon the ground that he himself was the proper person to whom to apply for legal advice. Mr. Cathcart had suggested to the jury the advisability of looking into the appeal to the Supreme Court in this connection, and it came to the ears of the court that Mr. Cathcart and Mr. Ables had consulted the Chief Justice together. This, it appeared later was not the case, and Foreman Ables reported that he had seen Chief Justice Frear, who had told him that there might be a ruling upon the question of appeal next Tuesday. This seemed to satisfy the court at the time and the jury was again sent out.

At 2 o'clock, while the court was hearing the Chinese divorce case, Mr. Cathcart appeared in answer to a summons from Judge Gear. The court immediately postponed the divorce proceedings for a day in order to give the Deputy Attorney General a hearing.

"I understand you wanted to see me," said Mr. Cathcart, addressing the court. "It has come to the knowledge of the court that you advised the Grand Jury to see the members of the Supreme Court regarding the appeals in the habeas corpus cases," responded Judge Gear. "Is that the case?"

"I think I had some conversation with them in regard to the matter."

"Do you consider that to be your duty as Attorney General?"

"I think so."

"I think that you were also considering the habeas corpus cases with Chief Justice Frear."

"No, I don't think I was."

"Chief Justice Frear told me that you had been. Do you say you were not?"

"I talked with him a minute, and the habeas corpus cases were mentioned, but we did not discuss them."

"Did you advise with him concerning the case?" questioned the court, angrily.

"I would like to inquire if I am here in any other capacity than that of Attorney General?"

"Yes, as a witness."

"In what case?"

"This case; the habeas corpus matter. Swear the Attorney General."

"The clerk rose to obey the order."

"I decline to be sworn in this matter," said Mr. Cathcart.

"Do you mean that you decline to make those statements under oath?"

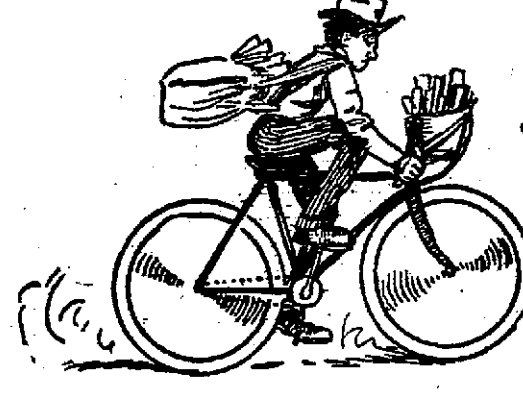
"No, sir. I mean I decline to answer these questions. The court has no right to ask them."

"The court finds you guilty of contempt and will impose a fine of fifty dollars. If it is not paid by tomorrow noon the court sentences you to be confined in Oahu prison until it is paid."

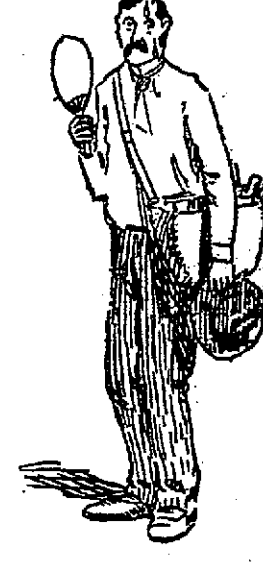
## THE POSTMAN IS COMING.



WHEN THE POSTMAN COMES ON STEAMER DAY



IN THE SUBURBS.



NO SNAP ON HOT DAYS.

R. YARDLEY

## A LIVE WIRE CAUSED A FIRE

### A Chinaman's Rice Straw Stacks Were Burned at Waikiki.

A live wire of the Hawaiian Electric Light Company was the cause of a fire last night shortly after 11 o'clock on Waikiki road, opposite Mr. Legros' premises. The defective wire burned into the pole upon which it was strung and communicated with the buildings occupied by Chinese. A telephone message was sent to central, and a request was at once made of the electric light company to shut off its power in order to prevent a conflagration. The men on duty at the powerhouse refused to do so, and the fire station was then communicated with. Chief Thurston attempted to have the powerhouse shut off the fluid along the Waikiki road line, but this request was also denied. Another telephone message came to town at this time saying that unless the fire department came or the power was shut off serious results would follow. Chief Thurston then sent the Makiki fire wagons to the scene, and several large strawstacks of the Chinese were found to be on fire. As there are no fire hydrants in the vicinity, considerable time was lost in getting water turned on to the blaze. The strawstacks were entirely destroyed, and the attention of the firemen was directed to saving the buildings. The electric current was turned off by the time the firemen reached the scene.

## THREE VERY TAME BOUTS

### The Oahu Athletic Club Was Organized Last Evening.

The members of the Oahu Athletic Club held their organization meeting at the Palama headquarters of the club last night. About 150 were present.

At the commencement of the meeting Charlie Graham was appointed chairman. The election of officers resulted as follows: President, Clarence Crabbe; vice president, George Ashley; secretary, Henry Vierra; treasurer, C. R. Dement; directors, Duke McNichol, Paddy Ryan, Charles Graham, Walter Drake, P. Helm.

Short addresses by the officers followed their election. Clarence Crabbe said that the officers would endeavor to perform the wishes of the members who must pull together if the thing was to be made a success. He stated that the object of the new club was to promote clean outdoor and indoor sport, and that he anticipated a bright future for the organization.

Mr. Graham made a formal request to Deputy Sheriff Chillingworth that a series of boxing bouts be permitted to be gone through with and consent being given an informal entertainment at once proceeded.

The first boys to spar were Joe Decker of Honolulu and Doyle, a recent importation from San Francisco. They went three rounds. Decker, it will be remembered, made a favorable impression when he boxed with Kreuter before the old Oceanic Club.

Doyle had a great advantage in reach and height but his wind was poor and he was no match for his opponent, who was the making of a good boxer.

Mahomet Khan, an Indian juggler from Hyderabad, next amused the audience with some feats in sleight-of-hand. He displayed wonderful skill, and succeeded in mystifying the spectators in each of his four selections. At the conclusion of his turn he reaped a considerable harvest of dollars and half-dollars which were thrown into the ring. Mahomet Khan, by the way, has a world-wide reputation as a conjuror. He has performed all over the globe and in 1895 created quite a sensation at the Indian exhibition in London with his basket trick.

Sid Boyd of Honolulu and Tom Mitchell, the Australian welterweight, next donned the mitts for a three-round exhibition. Mitchell, who is in reality a very clever boxer, only fooled with his opponent, whose wind had gone before time was called in the concluding round. Boyd kept very busy all the time and tired himself out. Mitchell, on the other hand, contented himself with merely evading the blows of his antagonist. He is a colored man with a tremendous reach, and at times showed faint signs of his undoubted ability as a boxer.

Sandwiched with the above bout was a three-round go between Messrs Riley and McGready. The former outclassed his opponent but knows little or nothing about the game himself.

At the conclusion of the entertainment Charlie Graham announced that the program had been gotten up at the last moment, and promised a good show for the next monthly entertainment given by the club.

Taken all in all the affair was a success and it certainly looks as if the Oahu Athletic Club would enjoy a longer lease of life than has been the case with similar organizations started here.

## LABOR DAY PLANS

### Carpenters Decide Upon a Uniform \$350 Already Subscribed.

The Carpenters' Union, at a meeting held last night, selected as their uniform for the Labor Day parade, khaki pants, white shirts and straw hats.

The two members of the finance committee who are soliciting funds for the celebration are M. Purcell, of the boiler-makers, and J. Dawson, of the carpenters' union.

They reported fine success yesterday, the following subscriptions being obtained as a result of their efforts: W. C. Peacock & Co., Ltd., \$50; C. Brewer & Co., \$100; Honolulu Brewing and Malt Company, \$50; F. A. Schaefer & Co., \$50; W. W. Dimond & Co., Ltd., \$25; M. S. Grinbaum & Co., \$50; Hyman Bros., \$25.

## SCIENTISTS AT PEARL

Acting Governor Cooper yesterday entertained with a launch party Dr. Jenkins and Mr. J. N. Cobb, of the Fish Commission party. Hon. Henry Waterhouse, Commissioner Wray Taylor and William Henry completed the official party. Soon after arrival at the Peninsula home of Mr. Cooper, the party was taken out in the launch and conveyed through the locks, going to the old Campbell homestead and inspecting the waterways. Luncheon was enjoyed in the west loch and the run home was taken in time to partake of a cup of tea before catching the evening train for the city.

## WILL FISH FOR GOOD SPONGES

### New Industry May Be Developed Soon.

### EXPERTS EXPECT TO LOCATE THEM

### Reports Lead to Belief Valuable Fisheries Will Be Found on the Outer Bars.

BELIEVING that there are sponges of a merchantable quality in the waters about these Islands, the last week of the stay of the party representing the United States Fish Commission will be devoted in part to an investigation of report concerning their presence. Should there be found sponges which will be fit for market, these will add materially to the wealth of the Islands, more in fact than any other product of the fisheries.

There is one State of the Union which now produces all the sponges which are brought to the market locally. Along the coast of Florida the industry has been pushed to its limit, until the annual sales of sponges amounts to \$600,000. The product sells for as high as \$2.50 a pound, which makes the business most profitable. There are sixty schooners in the trade and the business is the staple of many of the towns along the coast of the State. The fishermen have brought the business to a high state of perfection and they are able to make large catches in season.

The sponge fishing is done in deep water, the best specimens of the large bath sponges being obtained from fifty feet below the surface. They are located with a long pole carrying on its end a blade like a letter S, which cuts the sponge loose with a twist, and it is then brought to the surface, if there is luck, and if not and it gets away it is lost forever. The men become very expert in the business and they will carry it on during high winds, losing very few of the sponges.

There are many varieties of the sponge, those which are generally found about the inclosed waters being of a sort which are not of value. It is the opinion of Mr. Cobb, who is one of the experts of the Fish Commission on this matter, that good sponges will be found on the reefs outside and that in time, and a short time, for the organization of this industry will not be an elaborate transaction, there will be one of the most profitable of sea-product industries inaugurated.

Reports have come to the members of the party that high-grade sponges have been found at Punaluu and other points on the Kau coast. Some small specimens have been seen which are of the finest grade of the satin sponge, and the belief is expressed that there will be found a great supply of the valuable growths. Should beds be found these will be further cultivated and the building of the industry will go on as rapidly as possible.

The Fish Commission steamer Albatross will arrive here, according to the present plans, about the 1st of December. The ship will be used to make the deep sea soundings and dredgings, and will spend the entire winter here. It is expected that there will be in the cargo of the Albatross a large shipment of black bass fry. This fish is always planted in the fall, and there is good reason to believe that the necessary arrangements will be made for a shipment as soon as Mr. Cobb returns to Washington. This fish will be the trout which were placed in the rivers several years ago. The trout were not a success, as there is not sufficient cold water for them to thrive. The bass will live in any stream, being indigenous to almost all the American streams.

The plan will be to place this fish in the Waimea river on Kauai, and the rivers on Hawaii, where it will be given a chance to develop. There will be no attempt made to introduce any great number of high-grade fish here, for fresh and the salt water, for the reason that the salmon or the cod would not and sufficiently clear water and distance from the sea for spawning. The outlook is that mullet will be taken from here for planting in waters of the Mainland, rather than any fish brought here. The mullet there is said to be of high grade, more perfect in flavor and size than the Florida mullet.

If inspection of food is to be beneficial to the people we think the Board of Health should fearlessly publish the names of those who sell adulterated food and the brands of goods unfit for use. If the Board does so the public will know where to make their purchases and what to buy and a great advantage will be gained.—Independent.

Right You Are.

Right You Are.

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Right You Are.

(Continued on Page 3)



# TRUST IN INSURANCE

## Macfarlane Scores Board of Underwriters.

(From Thursday's daily.)

TRUSTS in insurance furnished a text for an attack upon the Board of Underwriters at the meeting of the Merchants' Association yesterday afternoon. The attack came from E. C. Macfarlane, who spoke upon the high rates of insurance and the necessity for more favorable ratings, and drew from R. F. Lange a warm defense of the Board and its business methods, and at the same time some light upon the methods of rating.

The meeting of the Association was the quarterly gathering and was held in the board room of the Hawaiian Trust & Investment Co. In attendance upon the meeting were Vice President Dimond, Secretary Harris, Messrs. Lange, Macfarlane, Gonsalves, Roedick, Wichman, Foerster, McInerney, Auerbach, Phillips, Pinkham, Rothwell, Barnes and Angus. The Association took no definite action except in the matter of freight for island steamers, which subject was ordered investigated by the board of directors.

The most interesting matter was that introduced when E. C. Macfarlane suggested that the Association should consider the matter of insurance rates. The Board of Underwriters, he said, controlled the rates, and in his opinion this Board was an association in the restraint of legitimate competition, and as such was an illegal combination. He said that he was of opinion that should the conditions existing be brought to the attention of the United States District Attorney, action would be taken as was done in the matter of the plumbers' trust. Mr. Macfarlane called attention to the fact that several business houses signed an agreement to not buy from commercial travelers, and when this was known the District Attorney notified them that they had better withdraw from the combination, which was done. He said he did not know why this trust should be allowed to do business on the lines adopted. He said the same kind of combinations had received attention in the States and something should be done here. Rates of insurance were out of all reason, and if there was no such combination there would be competition. Outside companies, he asserted, had made rates here, but had been compelled to withdraw them, as they were afraid of reprisals in other places.

Mr. Lange took exception to what had been said, as he was a member of the Board of Underwriters. Some rates perhaps were too high, he admitted, but where there was an objection there was always an adjustment of the difficulty. He went on to say that the Board had done things which no single agent could do, such as the mapping of the city, the investigation of every risk as to its location and its surroundings. The Board, he said, had sent to San Francisco for Mr. Guery to do this work and it had been thoroughly well done. He went on to say that there were certain risks on which the rates had been made too low, and cited the E. O. Hall & Son risk, saying that if the exact nature of the goods had been known there would have been no company which would have taken the risk at the rates fixed. It would not be fair, he said, for the Association to take action upon the matter by denouncing a Board which had done nothing but good for the city.

L. E. Pinkham took up the discussion saying that he had encountered the method of the non-board companies, and was in favor of the plan which was followed here, as offering greater security to the insured. While the rates might be high, he said, he was convinced that the rating system was the proper one, as the rating was intelligently done. He did not think wholesale competition was wise in any business, and said the plumbing trust still exists. He said it was not good policy which breaks down business, as the after-effect was not good, and thought that the action should be rather by persuasion than by force.

Mr. Macfarlane said he would not make a motion but that he thought the discussion would have a good effect. The insurance companies had a not thing here, and if there could be a statement of the losses and premiums during the past five years the showing would astonish the people. As to ratings, he said he did not think there was any chance that more than one in one hundred would be sustained. The rating, he said, was done by a man who came from a city where the same system was in force, and in all cases the ratings were made in the interest of the companies, and the people were never thought of in the making up of the rates. The difficulty was in the basic rate, which he said was a false one. There was a little running debate between Macfarlane and Lange, but nothing was done.

The question of the methods of the steamship companies came in for discussion led by Mr. Lange. He said there should be action taken by the Association in this matter. Often drays loaded with goods had been kept standing at the docks from 1 to 5 o'clock. He said that in his opinion the Inter-Island Company was the chief offender. The change in the method came, he said, when the change of management at the docks took place and Captain Godfrey left there. Before that time, he said, the freight was received, but now the dray must wait with its load and back right up to the steamer and put the freight from it on board. The change, he said, was directly due to the orders of the manager of the company, who had issued the directions.

Mr. Foerster said he could corroborate all that had been said, as he had similar experience with his drays and

the delays were most troublesome to shippers. Mr. Auerbach said that he had the same experience, and that there was little difference between the companies, but he thought the Wilder Company was perhaps the worst. He had known of loaded drays going to the docks at seven in the morning, standing until twelve, when the horses were taken away to be fed, and then the dray being kept in line until 4 o'clock in the afternoon.

Mr. Macfarlane said that this was not the only shortcoming of the carriers. He said the whole proceeding was an imposition on the business community. The companies always insisted that a consignee should be at the dock to receive the goods shipped to him. Also that often when he was not there the goods were left on the dock, and the company disclaimed any responsibility. He said that if some cases should be brought into court there would be a decision which would settle the responsibility. Often he said there was refusal of shipment after the dray had stood at the dock all day and there was no chance for the house to notify its customer.

Vice President Dimond said that he thought the companies would meet the merchants half way and there should be conferences held to get at the various opinions. On motion of Auerbach the Board of Directors was asked to take up the matter with the companies, and report to the Association.

Vice President Dimond said that an arrangement had been made for the testing of the income tax law and that there would be a division of the cost of the litigation. The president, he said, had the matter in charge, and there would be full report later.

### SHE WOULD HAVE HER WAY.

(A Lesson for some men in Trade.) Should one yield to the wishes of others, or insist upon having his own way? It depends: there is no rule to go by. Differing in opinion as to which was right on a certain point, Mrs. Towan and a chemist of her city had a debate. It ended in a victory for the lady—as was just and proper.

The time was the early part of 1899. She had been ill for a considerable period, and wanted help as the hart panteth after the water brooks. She was languid and weary; she had lost her energy, and could not bear the sight of food.

She had been losing flesh, too, and at this time was positively emaciated; her friends hardly recognized her for the plump, bright woman of a few months earlier. They said little to her, but talked about it among themselves. "My nerves were so shaken, and my hands so tremulous, that I could scarcely lift anything to my mouth," she says.

"You must understand that since I was a girl of thirteen I had always suffered more or less from indigestion, and that bane of women's lives—constipation. I was also a victim to neuralgia, but my troubles did not begin in serious earnest until after Christmas, 1898. From that date onwards all things were alike sad and dark to me. "Oh, yes; I tried all sorts of treatment and of medicines—pills, tonics, and doctors' prescriptions, but they all came to nothing. I wondered as all people often wonder, whether there is as much wisdom and learning in the so-called healing art as we have been led to think."

"Anyway, I seemed none the better for it, and a more depressed and discouraged woman could not, probably, have been found in Melbourne the day I picked up the little Mother Seigel book that somebody had left under our door. "I read the book, or rather, I scanned it in an idle, listless way, until my eye lighted upon a case like my own. I read that, and then, weak as I was, I struggled off to the chemist's. I might have sent, but had an impulse to go myself. Lucky I did."

"I want a bottle of Mother Seigel's Syrup," I said. "Oh, no," he cried, "don't take that; I will give you something better." "My friends had often recommended me to use Mother Seigel's Syrup, and so I told the chemist."

"I will have Mother Seigel's Syrup and nothing else in your shop!" I fairly shouted in his ears.

"Then he surrendered. How often since then have I thanked Heaven for my firmness. After a few doses I began to feel better. I could eat with a true relish, and digest easier. After taking only two—just fancy that!—only two bottles, I was thoroughly well—no neuralgia or dyspepsia, and none since. "But I buy my Mother Seigel's Syrup at the grocer's now."—Mrs. E. Towan, 52 Sutton street, Hotham Hill, Melbourne, Victoria, Dec. 13th, 1899.

## YOUNG CHINESE GO TO BERKELEY

Among the Gaelic's passengers from the Orient yesterday were four young Chinese students, who are on their way to the University of California, at Berkeley, where they will enter upon a four years' course.

All of them are bright, ambitious appearing young men, and they made the most of their visit at this port, visiting the places of interest and informing themselves generally as to the city and its business and social situation.

They are graduates of the University of Tientsin, and at the University of California will be under the special care of Professor Freyer, professor of Oriental languages for the university. They are the first students sent out by the Chinese government since the war, for education abroad.

Mr. F. M. Damon entertained the students all day. He conducted them through the Bishop Museum, where they spent over two hours examining the treasures of the cabinet, and being much interested in the history of the various curios shown them. At Mr. Damon's invitation they visited Moanalua in the afternoon, returning shortly before the hour of sailing. They all expressed themselves as very much pleased with Honolulu, and the Americanism of the city impressed them very obviously. There were also on board the Gaelic two Filipino students for Berkeley, Miguel Lukban and Antonio Tazon. Both will take up civil engineering at the university. They have been well educated in the Spanish school at Manila and are sons of wealthy Filipino families.

# THE LATEST NEWS OF ORIENTAL COUNTRIES

**YOKOHAMA, August 3.**—There is a substantial decrease in the number of plague cases at Hongkong, and all the fresh cases reported are among Chinese. During the twenty-four hours ending at noon on the 26th ult. there were reported ten fresh cases and eight deaths (all Chinese). On the following day only one fresh case of plague was reported, with five deaths (all Chinese), and on the 28th there were reported five fresh cases and three deaths (all Chinese).

The year's total is now: 1,481 cases (1,410 Chinese, 46 other Asiatics, 25 Europeans), 1,413 deaths (1,372 Chinese, 22 other Asiatics, 9 Europeans).

There are no fresh European cases, and those convalescent in hospital maintain the same steady progress towards recovery.

### THE RECEPTION ON THE FLAGSHIP.

The round of festivities which has marked the welcome stay of the American squadron in our harbor was concluded yesterday afternoon by a most delightful reception given by Admiral Rodgers, the captain and the officers of the fleet on board the flagship New York. Some 600 guests were invited. By the courtesy of the Government the cruiser was brought inside the breakwater and an ample fleet of launches conveyed the visitors from the hatoeba to the festive scene on board. The noble ship was profusely decorated for the occasion and every guest was put at ease by the ample provision for entertainment. Quite safe is it to say that seldom has there been an afternoon of such thorough enjoyment participated in by our citizens. Special attention was bestowed upon the large number of Japanese guests, in return for their unbounded hospitality to the gallant Admiral, who has become a prime favorite among them, and to the officers of the fleet. Generally speaking it may be said without invidiousness that there seems to be something in the American social atmosphere which causes the Japanese to lay aside the habitual reserve shown in their intercourse with foreigners. This was particularly marked on the present occasion as well as at the recent celebration at Kuribama. The music by the fine band of the New York was greatly enjoyed, and the spacious deck afforded so admirable an opportunity for dancing that many of the guests lingered until a late hour, thus evidencing their keen appreciation of the pleasure the reception afforded them. Many of the Ministers of State and prominent naval and military officers from Tokyo were present.

### PLAQUE ON SHIPBOARD.

The outbreak of plague on the Messageries Maritimes steamship Laos is likely to cause no small sensation at Marseilles and in Europe generally. The Laos left Hongkong for France on the 3d. She arrived at her destination at the beginning of this week, having on board sixteen Arab stokers suffering from plague. Consequently the whole of the 300 passengers and the crew have been quarantined. The local agents of the Messageries Company were unable to say whether these Arab stokers were on the Laos when she left Hongkong or whether they were taken on when the vessel reached the Suez Canal. Plague exists in Egypt, at the present time, but the shortness of the run between the canal and Marseilles does not give much time for the disease to have developed. On the other hand we have heard nothing of any plague cases on the earlier part of the Laos' journey. There is, of course, the third possibility that the men were shipped at some intermediate place. The guilt of Hongkong in the matter is at present open to question, and we trust that it will be disproved. The only consolation, in event of our responsibility being unfortunately shown, would be the powerful reminder which the home authorities would be given of the evil state of sanitary affairs in this colony.

### THE YANGTZE IN FLOOD.

The Japanese Consul at Hankow reports that the water in the Yangtze has steadily increased since last month and that by the 7th instant it had risen forty feet above the normal level; on the 10th, forty-six feet were reported from Kiangsi. All the environs of Hankow were inundated, but happily the town and foreign settlements escaped. Lower down the river, however, the whole country was flooded and great loss of life resulted. At Kiangsi there is two feet of water in the streets of the foreign settlement. At Anking the houses outside the walled city are all flooded, some up to the roofs. Lower down as far as Wuhu the same terrible state of affairs prevails. The boatsmen say that twenty thousand people have lost their lives in Kiangsi, but the story is probably exaggerated. It is certain, however, that many tens of thousands of houses have been inundated, and that if the water continues to rise Hupeh, Hunan, Kiangsi and Anhui will be completely inundated. Kiangsi and Hunan will probably suffer most.

### THE TIDAL WAVE.

Natives Believe It Due to Submarine Volcano Off Coast.

The Mauna Loa which arrived yesterday brought further particulars as to the tidal wave reported from Kailua last week. The wave seems to have been general along the Kona coast of Hawaii, but strangely it was not observed along the Kau or Kohala coast. The peculiarity most noticeable was in the movement of the wave, it first being noted at Kailua, and then at Keauhou, Napoona and Hookena, in quick succession. The prevalent opinion among the natives is that the wave was caused by submarine volcanic action near to the shore of the island, instead of by an earthquake. The wave proper was preceded by unusually high water, and when the tide had apparently about reached its limit and seemed about to recede, the tidal wave came up, being announced by an enormous breaker, which rolled twenty-five feet further up the beach than usual before going to pieces. The wave followed, the water sweeping up and inundating several native huts and reaching Hackfield's store. There were three waves in all before the water began to recede, which it did with great rapidity. Observations show that the wave traveled along the coast from Kailua to Hookena, a distance of twenty miles in about fifteen minutes. The natives believe there is a submarine crater near the island.

suffer most as the floods are caused by the overflow of the lake.

### CHINA AT BAY.

An interview has been accorded by Sir Robert Hart to Mr. Stafford Ransome, who writes from Peking, March 26, to the Daily Express. In this he reports Sir Robert as follows:

"Matters are as complicated as they can be. I do not think that we are any nearer to a solution today than we were before the trouble. The acceptance of the peace negotiations will not really advance the situation any way; for China is for the moment at bay, and will sign anything. Nor have I at all a high opinion of the terms laid down by the powers. Some of the conditions are futile and unnecessary, and much has been omitted that should have been inserted. I look on the proposed fortified legation quarter as a very injudicious move. It is a mistake strategically, politically and socially. Strategically, because how can strongly such a place be fortified, the Chinese will be able to capture it if they wish to; because a legation is in theory sacred ground, and it should be our purpose to make it so in practice. We ought to throw the onus of protecting the legations on the Chinese Government, and to take measures to see that they do protect them. How can we have serious political dealings of any sort with a country whom we cannot trust even to this extent? Socially it is a mistake, because the presence of such a stronghold in Peking will make the Chinaman lose faith, which is a more serious matter than some folks think; but above all it will cause relations between the white man and the Chinaman to be more strained and unsatisfactory than ever. If you are going to fortify the legations, which are in theory protection in themselves, how much more necessary must it be to fortify the dwelling places of all other foreigners throughout China who will have no protection? For purpose of good relations in the long run, surely the principle of untrammeled intercourse is the one to be fostered and encouraged."

"Do you mean to imply by this that the time has come for the foreign troops to be withdrawn, and that we should hand back the control of Peking to the Chinese?"

"Not at all, for were Peking to be without foreign troops today there would not be a foreigner alive in the city to-borrow. The failure in the policy of Western nations in dealing with China is due to the fact that no attempt is made to treat the Chinaman as a rational being. He is slow, he is conservative, his methods of thinking and acting are not our methods, but he has his feelings and his train of thought, and if we would deal satisfactorily with him we must endeavor to understand him. People make a great mistake in imagining that Chinese are not sensitive. They are extremely so, and the manner in which a thing is proposed to them goes a long way. People imagine that Russia is more unpopular with the Chinese than are the other powers, but such is not the case. Whatever territory Russia may have acquired, and whatever means she may have adopted in occupying that territory, her success at Peking is not wholly due to China's knowledge of Russia's power, or to bribery, Russian officials always treat the Chinese dignitaries with great courtesy and amiability, and the Chinese like their methods. Very recently a member of the Tsung-li Yamen said to me: 'The Russians are so polite that when they take something from us they do it so nicely that we feel we must thank them. Whereas even when certain other nations fall in with our views, they do so in a manner which makes it clear that they have no respect for us.'"

### MISCELLANEOUS.

The ceremony of opening Mount Fuji for the ascent of pedestrians was to have been held Saturday.

The total number of rats bought by the Osaka City office from February 15th to the 14th inst was 24,330, for which yen 14,219 was paid.

The Mercury of the 4th inst says: We have been favored with further particulars of the extraordinary arrest by Russians of a British officer traveling in Manchuria on the allegation that he was a spy. It appears that Lieutenant Colonel Powell, one of General Barrow's staff, was desirous of proceeding to Europe via Manchuria, and got a pass from Admiral Alexieff to proceed to St. Petersburg. When at Moukden he stopped at the house of Dr. Ross, a missionary, and did not call on General Fleischer, the head of the Russian administration there, as he wished to be as little detected as possible. His idea being to reach the coast by the water, he was overtaken by the Russian General. General Fleischer evidently thought he had been purposely slighted by the officer, and apparently in revenge for the supposed slight he sent a telegram further north telling the Russian officers to keep an eye on Colonel Powell and not let him see too much. The Cossack officers who received this telegram, however, interpreted it perhaps too literally into an order to arrest the officer. While proceeding in a cart between Moukden and Harbin he was followed by a party of armed Cossacks, and when passing the village of Pulhio, about twenty miles north of Moukden, where there was a large Russian garrison, they seized him and pulled him into the barracks. Colonel Powell immediately telegraphed to the British Consul General at Shanghai and is no doubt by this time released.

### Monthly Mortality.

The mortality report of the Board of Health for the month ending July 31 shows a total of the deaths occurring in Honolulu of 95, the monthly death rate per 1,000 of the population being 2.39. Of these 95 deaths, 27 were under one year of age, and 7 were between one and five years of age. Seven deaths are reported of persons between five and twenty years, 16 from twenty to thirty, 12 from thirty to forty, 11 from forty to fifty, and 13 over fifty years of age.

The causes of death are given as follows: Diphtheria, 1; typhoid fever, 4; cholera infantum, 1; diarrhoea, 4; dysentery, 2; pyaemia, 1; septicaemia, 3; saturnism, 1; alcoholism, 1; malnutrition, 1; inanition, 2; tuberculosis of various kinds, 12; developmental ailments, 3; congestion, 5; hemorrhage, 3; convulsions, 2; paralysis, 1; valve disease, 4; asthma, 1; bronchitis, 4; catarrhal croup, 2; laryngitis, 1; pneumonia, 10; pulmonary congestion, 1; appendicitis, 1; gastric ulcer, 2; inflammation of intestines, 4; intestinal troubles of other kinds, 5; peritonitis, 2; asphyxiation, 1; homicide, 1; legal execution, 2; various complaints of reproductive system, 5; suicide, 1.

### NOTICE OF SALE.

BY ORDER OF MESSRS. THEO. H. DAVIES & CO., LTD., mortgagees under that certain mortgage dated July 1, 1898, made by George McDougall, William McDougall and George W. McDougall, doing business at Kailua, in the island of Hawaii, under the firm name and style of George McDougall & Sons, and recorded in the Registry of Conveyances in Honolulu, in Liber 180, 72 pages 231 to 234, and by the consent of said mortgagees, and of all parties in interest, I will offer for sale at public auction at my salesrooms, Queen street, Honolulu, on the 24th day of August, A. D. 1901, at 12 o'clock noon, all of the property situated in the district of North Kona, island of Hawaii, Territory of Hawaii, known as the McDougall Ranch and Coffee Plantation, containing an area of \_\_\_\_\_ acres more or less, described as follows, to-wit:

All of those certain pieces or parcels of land situate at Kailua and Honokahau (2), island of Hawaii, aforesaid, and more particularly described as follows:

1. The ahupua'a of Hienaloli 2d, and being apana 5, of L. C. A. 7714, and conveyed by deed dated July 21, 1888, from Charles K. Bishop and Samuel M. Damon to George McDougall, of record in said registry in Liber 74, of page 314, containing an area of about 300 acres.

All of that land situate at Papakoa, Honokahau 1, containing 60.50 acres, and more particularly described in Royal Patent (grant) No. 3454, to George McDougall, issued August 30, 1899.

Together with all and singular the easements, tenements, hereditaments and appurtenances unto the same belonging or in any wise appertaining. The above two pieces being subject to a certain mortgage dated March 2, 1897, from George McDougall to the estate of W. C. Linnell, deceased, for the sum of two thousand dollars, with interest at 7 per cent per annum, of record in said registry in Liber 170, page 23.

And also all of those certain indentures of lease of lands in North Kona, island of Hawaii, aforesaid, viz:

1. That certain indenture of lease from Liliuokalani to George McDougall of the land known as Keshouli, described in L. C. A. 8452, E. P. 681, dated the 21st of March, 1891, of record in said registry in Liber 124, on pages 461-465. Area, about 4,071 acres. \$800 per annum to March 31, 1912; \$700 per annum to March 31, 1922.

2. That certain indenture of lease from Francis Spencer to George McDougall of the land known as Honokohauiki, dated January 6, 1897, of record in said registry in Liber 160, on pages 24-25. About 500 acres. \$300 per annum to January 6, 1912; \$400 per annum to January 6, 1927.

3. That certain indenture of lease from the trustees under the will of Bernice Pauahi Bishop to George McDougall of the land known as Puaa 1st, together with fishing rights, dated May 2, 1887, of record in said registry in Liber 193, on pages 225-227. About 353 acres. \$100 per annum to May 2, 1902.

4. That certain indenture of lease from Mrs. Kau Keawewaluanui to George McDougall and Sons, of homesteaded lots 19 and 20, in Kealahou, dated March 1, 1896, of record in said registry in Liber 161, on pages 228-233, containing an area of 45.51 acres, more or less. — per annum to March 1, 1911.

Together with all buildings and improvements made upon or put up and erected upon the land in said leases named and described, also all coffee trees growing thereon, the area of said coffee lands being as follows:

About 150 acres of planted coffee.

About 50 acres of wild coffee.

And also, all of the herd of cattle belonging to said mortgagees running at large in said North Kona, numbering about 400 head, more or less.

JAMES F. MORGAN, Auctioneer.

TERMS—Cash, United States gold coin. Deeds at expense of purchaser.

For further particulars, apply to Hatch & Stillman, attorneys for mortgagee, or to Messrs. Theo. H. Davies & Co., Ltd.

Dated Honolulu, July 13, 1901. 5419-3300

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Ice Chippers	Butcher's Cleavers
Ice Shaves	Family Cleavers
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Harness Oil	Shelf Brackets
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## POLITICIANS GET BUSY

Leaders Believe It  
Is the Time  
to Work.

MEMBERS of the Executive Committee of the Republican Territorial Committee are considering the advisability of holding a meeting at once for the purpose of staking out the lines, if no more, for the ballot battle which will take place next fall. There is a universal opinion that there should be some attention paid to the precinct organization now or there will be little hope of keeping up any organization for the next campaign.

This has been discussed since the close of the Legislature, as it was deemed the time to go on with the fight, and to keep the people informed as to what was done here during the winter and spring, and thus prevent the Home Rulers from making such explanations as would bring the people to their support again. The Republican managers say they have hopes that it will be impossible for the Independents to explain to the people that there was not great loss of time and much trouble which should have been avoided during the Legislature's session. It is thought that there is no party which would mean so much to the people as the Republican party, which gave to them prosperity and which is now in the majority in the country at large, if the Home Rule is eliminated. The wisdom of a second choice has been explained to the people by Wilcox, whenever there were a few gathered and the result is that there seems to be some ground for the opinion that hard work will not be necessary in getting the Hawaiians into the fold.

Organization is the word with which the Republicans hope to conjure. Some of the members say that they have little hope next time if there is not a perfect organization of Republicans to go into the fight. It was said yesterday that there was nothing done in the matter of getting a poll of the various districts, that there were no complete lists to show the residents of any community. On the island of Hawaii there were precincts where the Republican vote was practically nothing, where the party candidate was strongest, and again there were cases where the vote was entirely out of all proportion. It was in Kauai that the greatest trouble arose, for there there was practically no opposition offered to the Home Rulers.

It was the wish of the committeemen who were talking of the proposed gathering that there be a large attendance to settle for the coming two years the matter of the local committees and clubs and their powers. There was unanimity in the desire to have the entire party know of what is going on, and the only thing in the way seems to be the feeling that there will be some vast changes seen during the next year. There are several members of the committee here and they all seem to have the same idea as to the necessity for action. What course the matter will take is a question, but there are some of the members who believe in a special meeting, followed by a meeting of the full committee, so that there may be full agreement upon the terms on which the work is to be done.

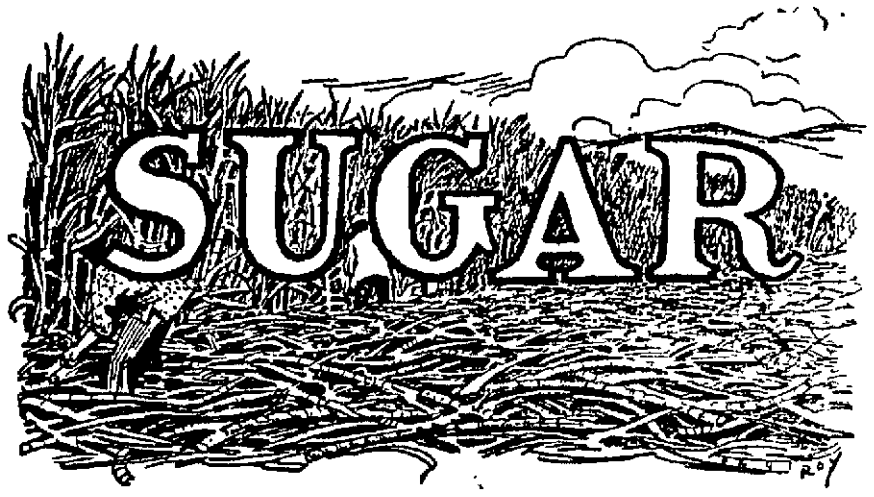
Another thing which is giving some trouble is that there have been, in some respects, for the politicians, severe throw-downs, in that the regular recommendations of the committee have not been followed even when asked as in some instances. This has made some of the members of the Executive Committee rather angry and they think it is time to rid the party of any kind of double-faced dealers.

There will be some work to be done if there is to be an attempt to hold the Hawaiians to their contract with Wilcox, to join the Republican party. There have arisen some schisms over the allotment of offices but there has been nothing serious as yet, except hard words. There will be nothing else if the present outlook continues, as the party will first, according to one member of the committee, get together and then proceed with its settlement of old accounts. Another matter which is agitating the old politicians is that as heads of departments are going to other islands, on business, it might be well to have them feel the pulse of the political community and gauge the future by that.

Mr. J. P. Cooke said: "I am of the opinion that there is not too much time if we are to make a hard fight. There is much in the way of organization to be done, and the sooner we get at it the better off we will be. I have heard the talk of a session of the Executive Committee before and hope that it will be called at once so that we can get down to work and stimulate the people in the lead throughout the islands to bestir themselves."

It is understood that there is a general plan to secure the naturalization of the old residents who have maintained their allegiance to a European power. This is proceeding with success at most of the plantations, at one in particular, where last year there were only eleven votes, there have been more than that number of naturalizations so far. This leads to the belief that there will be such pressure as will lead to strong precinct clubs all over the group, and that there will be close attention paid to the advance work of a campaign.

The native and Portuguese children of town, from Kailahi to Wailuku, and from Puna to Kakaako, are busy on burned hardware. Since the Hall fire it is no uncommon thing to see a babe of three toying with a large shark hook, or boys of six and seven diverting themselves in the suburbs with ax-heads and divers other sharp things.



STATISTICS have just been made public by the Treasury Bureau of Statistics regarding the prosperity which Hawaii enjoyed after the reciprocity treaty, which admitted the sugar of those islands into the United States free of duty. These figures show that the sugar production of the Hawaiian Islands has increased over 2,000 per cent under the free admission of their sugar to the markets of the United States, while other cane sugar-producing islands and countries have during that time suffered great depression and, in many cases, heavy losses.

It was in 1876 that the reciprocity treaty was made between the United States and the Hawaiian Islands. Prior to that date the average production of sugar in the islands was but about 25,000,000 pounds per annum. In five years the production had trebled, in fifteen years it was ten times as much, and in twenty years twenty times as much as before the treaty. Within less than ten years after the ratification of the treaty more than \$20,000,000 of American capital had been invested in the islands, and the total value of the sugar production of the islands since the treaty is \$250,000,000.

The following table shows the production of sugar in the Hawaiian Islands from 1875, the year preceding the reciprocity treaty, to 1899.

Year—	Pounds.	Value.	Year—	Pounds.	Value.
1875	25,080,182	\$ 1,216,388	1888	235,888,346	\$10,818,883
1876	26,072,429	1,272,334	1889	242,165,885	13,089,302
1877	25,575,965	1,077,529	1890	259,789,462	12,159,585
1878	38,431,458	2,701,781	1891	274,983,580	9,550,537
1879	49,030,972	3,109,563	1892	263,636,715	7,276,949
1880	63,584,871	4,322,711	1893	330,828,879	10,200,958
1881	93,789,483	6,395,399	1894	306,684,993	8,473,009
1882	114,177,938	8,320,890	1895	294,784,819	7,975,590
1883	114,107,155	7,112,981	1896	443,569,232	14,932,172
1884	142,654,923	7,328,896	1897	520,158,232	15,390,422
1885	171,350,314	8,356,061	1898	444,963,036	16,614,622
1886	216,223,615	9,775,132	1899	545,370,537	21,898,190
1887	212,738,647	8,694,964			

The advantages which Hawaii has had over other sugar producers by reason of her ability to sell her sugar free of duty in the United States are illustrated by the following table, which shows the relative growth of sugar production in Hawaii, Porto Rico, Cuba and the entire cane and beet sugar sections of the world from 1870 to 1899. It will be seen that Porto Rico has decreased her production slightly in that time; that Cuba increased her production from 1870 to 1895 (her greatest sugar year) but 45 per cent; that the cane sugar production of the world increased from 1870 to 1899 but 80 per cent and the beet sugar production 570 per cent, while during the same time the Hawaiian production increased over 2,000 per cent:

	1870.	1899	Per cent of Increase.
Porto Rico	85,558	58,938	*31.12
Cuba	725,805	*1,054,219	45.31
World's cane sugar	1,585,000	2,862,000	80.57
World's beet sugar	831,000	5,975,000	570.88
Hawaii	**1,195	243,470	2,074.60

\*Decrease. \*\*1895. \*\*\*1875. The increase in commerce between the Hawaiian Islands and the United States which followed the free movement of merchandise between those islands and our ports is also illustrated by the fact that the exports of the Hawaiian Islands from the United States prior to 1876 amounted to less than \$1,000,000 annually, but rapidly increased until in 1900 it was about \$14,000,000, and a recent report from the Collector of Customs at Honolulu estimates the figures for the present year at \$20,000,000. The commerce of the islands is, according to the "American Cyclopaedia," an accepted authority, larger per capita than that of any other country in the world, and nearly all of it is with the United States and carried in American vessels.

The fact that this enormous increase in production and commerce and wealth of the Hawaiian Islands has followed the freedom of trade with the United States, established by the reciprocity treaty of 1876, suggests that the Porto Ricans are likely to benefit by the same close trade relations which they will have under the new law which they have asked President McKinley to put into operation on the 25th of the present month.—Louisiana Planter.

### POLARIZATION OF SUGAR IN CUBA AND IN THE UNITED STATES.

The following letter to the New York Maritime Register from Havana, dated June 22, should be read carefully by all the parties interested in the sugar question and an effort should be made to get at the actual facts of the case:

Allow me to call your attention to the article in the *Advertiser* Commercial of yesterday, "Azucar y Miel," as I think some notice should be taken of the great difference between the polarization of sugar in Cuba and in the United States. A difference of a fraction of, or a whole degree, occasionally might be considered possible, but when it amounts to two degrees and even three degrees, the question would naturally arise whether the polarization in the United States is correct or not. There are good and reliable chemists in Cuba, whose tests in former years have been considered as correct, as they did not differ materially with tests made in the United States and in England, but now hardly an invoice is accepted in the United States without a claim of from one degree to three degrees less than the tests made by experts in Cuba. The price of sugar has fallen so low owing to the manipulations of the Sugar Trusts, that there is no margin of profit left for the planter, even if the claim for differences in the polarization was not made, and the result is that, factors in sugar who have purchased sugars in Cuba at the present low prices, have been subjected to heavy losses from these claims of difference between tests made here and in the States, and it is very evident that if this practice continues the cane fields of Cuba will be abandoned, and the immense capital invested in sugar-making machinery will be sunk entirely "out of sight."

TACOMA, July 25.—The price of sugar in the local market has dropped 50 points during the last week, making a difference of one-half cent per pound in all grades. This is the lowest price at which sugar has sold for a number of years and came as a surprise to a number of dealers in the face of reports from the East that the tendency was to go higher. This is the season of the year when sugar rules the highest, as there is the greatest demand during the fruit season.

The cause of the sudden slump is said by local dealers to be due to the large visible supply.

There are prospects of more beet sugar being produced in the States of Washington, Oregon and California than ever before, and more than can be consumed on the Coast. There is also a large importation from Germany and the north of Ireland, and it would not surprise the dealers if the price would go even lower.

The present low price will stimulate the canning of fruit, as the cost of the sugar is about one-half the canning expense.

A theory advanced by one prominent dealer is that the sugar kings are engaged in a war.

It is said that the Western Sugar Refining Co. and the California & Hawaiian Sugar Co. are not working in harmony and that a breach of faith on the part of one of the companies has engendered the friction which has resulted in the present decline.

The Lost Rio.

All insurance matters in connection with the wreck of the Rio de Janeiro have been settled. The underwriters have paid \$300,000 to the owners of the cargo, but the loss on the vessel is known only to the officials of the Pacific Mail Steamship Company, the company carrying its own insurance.

An opinion expressed in another quarter is that the trusts have combined to freeze out the beet sugar industries that have started up all over the West and threaten to destroy the monopoly which the magnates have formerly enjoyed.

Some of the local firms were caught with quite large stocks on hand and suffered a loss by the sudden sharp decline. The first break was 10 points, followed by another of 10 points, and two days later the market slumped 30 points.

### PORTO RICO BRACING UP.

SAN JUAN, Porto Rico, July 27.—Events have already proved that the tax law drawn up by the legislators of this island will provide ample means for the island's requirements. This indicates that Porto Rico is more prosperous than it was a couple of years ago. Steady improvement has been made since the day General Miles landed at Guanica, three years ago. The people are in better physical condition and work with more spirit. Plantations that went unworked for a long time are beginning to show signs of prosperity. There is more shipping in the harbor, and the signs generally indicate better conditions.

Nevertheless scarcely an instance can be cited where any considerable amount of American capital has been invested in Porto Rican enterprises. Numerous promoters and capitalists have visited the island, have declared that this or that investment would bring good returns, and then have gone away never to be heard from again.

There was \$25,000 in treasure, on which insurance has been paid, and there was \$20,000 more, shipped by the collector of customs of Hawaii, on which there was no insurance, besides a considerable sum belonging to the Mail Company. It can now be set down pretty accurately that the total loss was \$150,000. Raw silk, it is stated, was the Rio's cargo that cost the underwriters most money.

## WILL FIGHT FOR A JURY

Pearl Harbor Men  
Prepare for  
Action.

NOW that the issue is joined over the proposed site for the United States Naval Station at Pearl Harbor, the lines upon which the fight will be made are being discussed. The United States District Attorney has not taken up his preparation for the matter as yet, but will get to work on it before the end of the week.

The vast difference between the valuation set upon the lands by the commandant of the station here and the owners and lessees of the lands has aroused much comment as to what basis was used by the Naval officer, Captain Pond, in arriving at his figure, \$16,000, as a valuation for the entire tract of more than 800 acres of land. The action against the owners and lessees of the lands is brought under the Hawaiian law of eminent domain, and there is provided in that act a basis for ascertaining the values of lands which are wanted for public uses.

The provisions of the law are that there shall be allowed for the land an addition of 20 per cent to the value as established by the tax assessor during the two years next preceding the bringing of the condemnation suit. It was upon this basis taken that the Naval officers made their statement of the values of the land which it is desired to take for the station. The valuation set upon the lands is a gross amount not subdivided into sums for the various plots which are cut off from the holdings of the estates. The average acre value is something under \$20. The following will show the returns and the assessed valuations of the lands.

	Returned	Assessed
Value	Value	
II Estate, Ford's Isl- and (361 acres)	\$25,000	\$33,200
1899	33,200	33,200
1900	33,200	33,200
1901	33,200	33,200
Bishop Estate, Hala- wa (4,336 acres):	\$12,496	\$12,496
1899	12,496	12,496
1900	12,496	12,496
1901	40,000	40,000

Applying an even rate, without distinction as to frontage values as higher than inside property, the Ford's Island lands during the two years preceding the bringing of the suit were assessed upon a valuation of about \$2 an acre, while the Bishop Estate holdings of the entire Hala-wa peninsula were put in at a flat rate of \$2.86 an acre. Taking the 151.6 acres of the II Estate at this rate the value would be \$13,947 and the 676.5 acres of the Bishop Estate would be worth \$1,935, at the level rate, which would leave \$118 as the amount added as the extra value of the immense waterfront taken.

The answers submitted show that the first fight promises to be a hard one and will turn upon the power of the attorneys to secure from the court a ruling upon the right of the claimants for damages, to have a jury assess them. There is no provision in the local law that there shall be a jury hearing upon the matters contemplated in the act, and the primary contest is set for this point.

The main question, according to several of the best-informed attorneys will be the constitutionality of the law under which the action is brought. It is said by leading attorneys that this question has not been brought before the Supreme Court for the reason that while it is true that actions have been brought under this law none of them have come to trial, but always they have been settled out of court. This makes the problem one which is new, and which will enlist the best efforts

of the attorneys when the case is brought before Judge Estee.

There have been rulings in number in, and opinions from, high courts that there may not be any limitation placed upon the values to be found by a jury in the matter of condemnation proceedings. It is upon this phase of the case that much hope is based by some of those who are most interested in the outcome of the suits.

### A MINISTER'S GOOD WORK

"I had a severe attack of bilious colic, got a bottle of Chamberlain's Colic, Cholera and Diarrhoea Remedy, took two doses and was entirely cured," says Rev. A. A. Power, of Emporia, Kan. "My neighbor across the street was sick for over a week, had two or three bottles of medicine from the doctor. He used them for three or four days without relief, then called in another doctor who treated him for some days and gave him no relief, so discharged him. I went over to see him the next morning. He said his bowels were in a terrible fix, that they had been running off so long that it was almost a bloody flux. I asked him if he had tried Chamberlain's Diarrhoea Remedy, and he said, 'No.' I went home and brought him my bottle and gave him one dose; told him to take another dose in fifteen or twenty minutes, if he did not find relief, but he took no more and was entirely cured. I think it the best medicine I have ever tried." For sale by Benson, Smith & Co., Ltd., general agents, H. T.

Mr. Dillingham corrects the statement that all the Oiaa cane is to be ground at the Waiakae mill, the amount being 250 acres. These 250 acres are part of a field of 700 acres which had the first cane planted and from which seed was taken sufficient for planting 1,700 acres. The acreage now being harvested will supply seed for 1,250 acres more and give the company a return of about five tons of sugar to the acre in addition thereto, showing that if the entire yield of the 250-acre field should be turned into sugar it would average about seven tons to the acre.

POWELL'S BALSAM of ANISEED— Cures Coughs, POWELL'S BALSAM of ANISEED— And Colds. POWELL'S BALSAM of ANISEED— Unequalled POWELL'S BALSAM of ANISEED— For Asthma, POWELL'S BALSAM of ANISEED— Bronchitis, POWELL'S BALSAM of ANISEED— Influenza, POWELL'S BALSAM of ANISEED— Catarrh, POWELL'S BALSAM of ANISEED— Night Cough, POWELL'S BALSAM of ANISEED— And All POWELL'S BALSAM of ANISEED— Pulmonary POWELL'S BALSAM of ANISEED— Disorders.	Returned Value	Assessed Value
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The unpleasant sensation of tickling in the throat, which deprives so many of rest during the night by the incessant coughing it causes, is quickly removed by a dose of Powell's Balsam of Aniseed. It is a proved cough remedy of 75 years standing. It strengthens the voice and cures Hoarseness.

### UNSOLICITED TESTIMONIALS.

Mr. A. J. Woodhouse, Fern Lodge, Clay-Next-the-Sea, Norfolk, writes: "Last year Powell's Balsam of Aniseed cured for me a very obstinate cough of some months' duration, which I feared would lapse into a pulmonary affection."

Mr. Lionel Brough, the eminent actor, writes: "I think it an invaluable medicine for members of my profession, and have always recommended it to my brother and sister actors."

In palace and cottage alike, Powell's Balsam of Aniseed is the old and unexcelled Remedy for COUGHS, COLDS, ASTHMA, BRONCHITIS, NIGHT COUGH, INFLUENZA, &c.

Squatters and farmers, when ordering their stores, should not omit this time-honored Cough Remedy.

WARNING.—When purchasing Powell's Balsam of Aniseed you are earnestly requested to see that the "Lion, Net, and Mouse" trademark is on the bottle wrapper, and be not persuaded to take imitations.

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# THE STATUS OF HAWAII

## Is Midway Between Territory and States.

(From Wednesday's daily.)

The constitutionality of the income tax law was attacked before the Supreme Court yesterday on half a dozen different grounds. The point generally thought to have the most weight in the arguments to the Supreme Court was that of discrimination between corporations and individuals, which if held to be illegal is admitted will throw out the entire law. If, on the other hand, some of the minor objections to the law are sustained, the defense claims that this would simply result in the law being remedied to the extent of striking out these sections, and the law would still remain in force.

A new and novel fact brought out by the arguments yesterday was that the powers delegated to the Territory of Hawaii far exceed that of any other Territory, and that the status of Hawaii is midway between that of State and Territory.

Both cases, that of the Waimanalo Plantation Company, a corporation, and of G. H. Robertson, were presented together.

### GENERAL HARTWELL'S ARGUMENT.

General Hartwell opened the argument with a general statement of the agreed facts in the case at bar, the reading of the papers being waived. He stated that the tax had been paid on the agreement that the money would be held by Assessor Pratt subject to the order of the Supreme Court.

"I am aware," said Mr. Hartwell, "of the extreme caution with which a court always approaches a question of legislative power. It may be assumed that the court will not declare this act invalid, unless the reasons for such action are clear; but I take it that the tax law will receive strict construction by this court."

"In 1897 an income tax law was passed by the Legislature of Hawaii, following closely the law of the United States adopted in 1894. The Supreme Court of Hawaii declared this law unconstitutional because of its lacking in uniformity, and because of its being against the Constitution of Hawaii, which, however, is no longer in effect. The provisions of such a law so far as proportionate taxation is concerned, is inherent in the taxable power of any country. This proposition is admitted by Chief Justice Frear in the decision quoted, he dissenting from the opinion of the majority."

Mr. Hartwell quoted from this opinion of the Supreme Court of Hawaii on the first income tax law, and also from Cooley on the powers of States as regards taxation being subject to limitations, also on the uniform ratio, protection against exceptional taxation, etc. He argued that the law laid down in this case of Campbell vs. Shaw was to be considered as the law of Hawaii today, the Organic Act providing that judgments in force previous to annexation remained in force unless differently specified in the Organic Act.

"If it does not," he said, "such decision cannot be as effectual as if the Organic Act had not been passed, and as long as it is not unconstitutional, it shall serve as a precedent. This law, no more than that law, has the proper uniformity and equality."

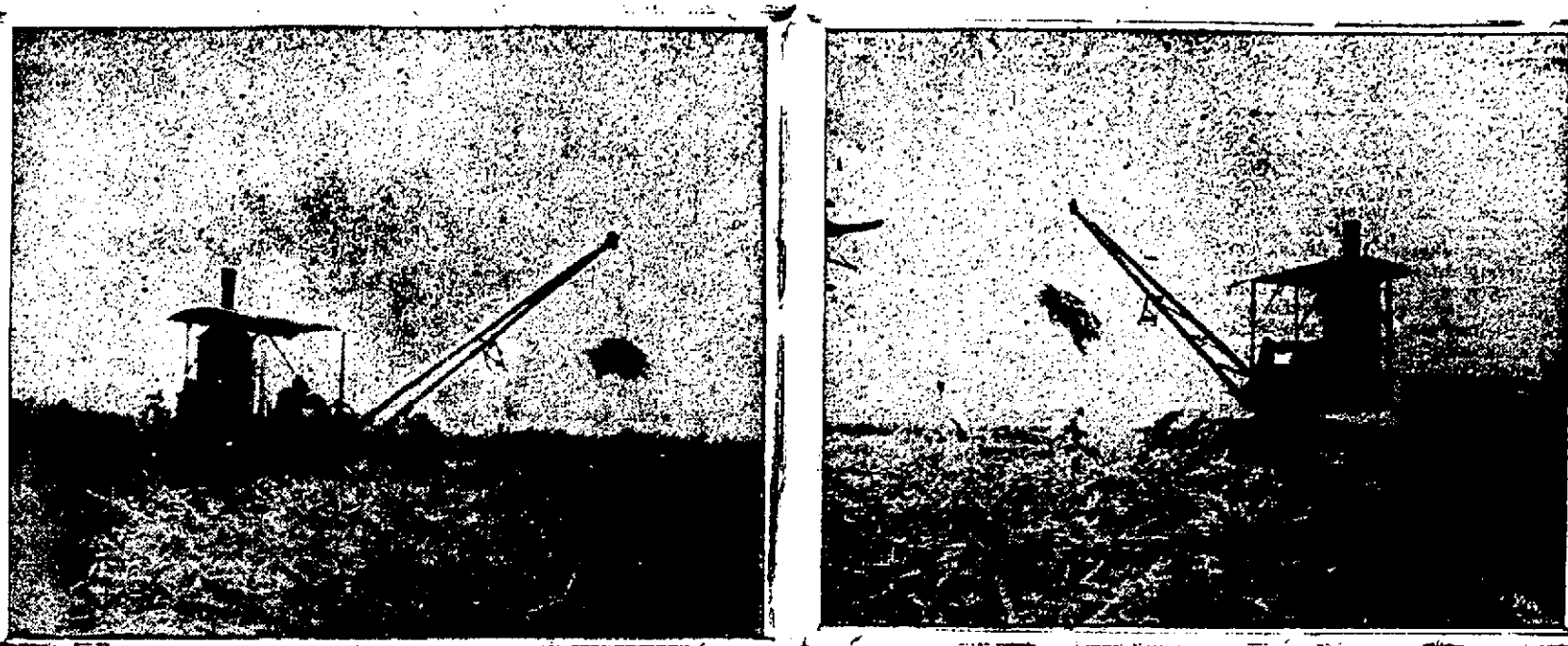
"The Legislature has no inherent power of taxation, no other power than that granted in the Organic Act, which gives the Legislature power to enact laws not inconsistent with the Constitution. Congress itself would be bound in exercising taxing powers, by the limitations of the Constitution, and the Legislature of Hawaii could not exceed the powers of Congress, which it attempts to do in this act."

"The Organic Act of Hawaii is different from that of any other Territory in the United States. In other Territories the Organic Act requires that all laws passed by the Legislature must be submitted to Congress; there is no such requirement for Hawaii. In every Territory there is a provision that there shall be no tax on a public domain, or discrimination against non-residents. The later acts providing for the government of Territories contain the provision that taxation must be in accordance with the valuation of property; there is nothing of that sort in the Organic Act of Hawaii. Is it to be inferred that Congress did not intend to place limitations upon the taxable power of Hawaii? Did it intend to give the Legislature greater power than that which it gave to Congress? I think not. The limitations of the Constitution and of the laws of the United States were also to have effect here. It was no doubt the intention to place Hawaii midway between the status of a Territory and that of a State, and to give it certain benefits not allowed other Territories."

Mr. Hartwell then quoted the taxation provision of the Constitution and argued that in view of this section the rule of proportionality and equality was necessary to make the law valid. "For instance, the law imposing a penalty of 200 per cent by the collector in the event of false and fraudulent returns, is illegal, he is the sole arbiter, and can inflict this punishment without due process of law, or trial by jury, a proceeding clearly unconstitutional, the act as a whole is void. If there is one condition that would make the law impossible the act is illegal and void."

Now in regard to discriminations. The section of the law which provides for the taxation of corporations, basing such estimates upon the yearly profits is, I think, a tax upon the privileges of corporations. But this law goes further and discriminates between the earnings of individuals and of corporations. Why should an individual have an exemption of \$1,000 and a corporation pay on

# A MACHINE THAT LOADS CANE BY THE TON



CANE LOADER AT WORK IN A FIELD WITH A HALF TON IN THE AIR.

BY THE ADAPTATION of well-known machinery to the special needs of the cane field, a loader has been produced which promises to reduce the cost of this most expensive of all sugar estate operations by at least one-half, and at the same time relieve the laborers of the most exacting tasks they find. The loader, which has been a success in more than one field, consists of a rotating locomotive crane, which by the use of special apparatus is fitted to the task of carrying the bundles of cane from the ground to the cars.

Trials of the loader brought out to the Islands for Hamakua by Harry Baldwin have been concluded, and the results have been most pleasing to engineers and managers. As a result the machine has received the approval of such men as H. P. Baldwin, and the prospects are that it will be ready for general use before the next grinding season. Already there are orders in the hands of the agents for three more of the machines and the engineer in charge will make some changes, so as to have the cranes in shape for any demand which may be made upon them.

The crane, which has a working radius of boom of fifty feet, is placed on any three-foot gauge movable track, which is laid parallel with the main track which carries the train to be loaded. The cane which has been cut is gathered into bundles, confined in a sling, one-half ton being put into each of the bundles. The crane, which from its long reach and also from the fact

that it will work on the cane bundles, even if they lie fifty feet away from the end of the boom, dragging them over the ground until they are finally raised, is swung around until the fall of the wire hoisting line is dropped over the sling, and is attached by one of the men who made the bundle. The engine is of high speed and the bundle of cane is quickly run up and swung over the car, where two men are in waiting to place the cane straight and let go the sling. The cane is dumped and the hoisting line run back to a waiting sling, the one which has been used being carried back; then the process goes on to the end.

With the wide reach of the boom it has been found that the radius of highest efficiency for the loader is 115 feet. With this distance the machine at one setting will clear an entire acre without being moved. The machine has little in it which is peculiar but is practically the same machine that is used all over the country in handling loads of material. As the load is not meant to be above three tons, the machine itself is made rather light, the one now in use here being about ten tons and those which will be made for future orders being of but eight tons' weight. Another change which will be made is the placing of two four-wheeled trucks under each of the cranes, so as to distribute the weight. The hoisting is done with a single wire cable, and the slings are simply a rope with a hook at one end and a ring at the other.

The tests so far made have not shown perhaps the highest efficiency, as the cane cars in use are of the stake variety, where the cane must be placed

if the cars would be made to hold their capacity. The plantation, however, will have the cars supplanted by the flaring sided cars, such as are used on Kauai, and then the loading will be done by the man on the crane, for there has been perfected a device, operated from the platform, which will trip the patent sling just where it is wanted. When this is done the cost of loading the cane will be reduced to a minimum. With all the appliances there will be a speed of the loader which is thought to be 300 tons a day. Another improvement which is being perfected contemplates the loading of the cane with the sling still about the bundle of a half-ton, the weight of which has made a compact bundle, right onto the car and its conveyance to the mill in that shape. There a light trolley will unload the cane and a tender will dump it, remove the sling and send it back to the field.

As furnishing a line upon the value to the plantations of such a machine, under the old system a good man, one who has a stout heart, could load six tons of cane in a day, for which he was paid at the rate of twenty-five cents a ton. Remove the necessity of this man carrying the cane up to the cars and he would pile thirty tons of the stalks into the slings ready for the hoist. Even this will be done away with in the future, for when the cane is cut it will be put into the slings by the cutters. This will mean that there will be no unnecessary work or expense about the handling of the cane. There is still a difficulty, in that while a good loader might put into a car eight or nine tons the machine loader, which

cannot place the stalks, will not get more than five or six into the same car. This may be bettered when the cane is left in the sling. Another feature of the matter is that with the loader there is no dear labor, but the men who get the ordinary wages will be able to do the work. Of the many advantages that the loader can be run to the edge of a gulch and there it will collect all the cane, saving the work of the men, seems to be that which is most appreciated on the plantations. The engine boiler consumes crude oil, so that the cost of operation is less than \$1 a day. It is indestructible for one was caught in a fire at Paia and while its tender was burned, it was all right.

The adapting of this machine for the work was done by Mr. W. W. Ricker, one of the best known of the young engineers here. The representative of the Brown Hoisting Machine Works of Cleveland, he has studied the question of cane problems until he was ready to offer this machine. When the planters wanted such an invention an offer was made of \$1,500 for the plans and invention. Engineers said it was not a good offer, and this was shown later when a firm of machine builders in the East offered the planters to take any invention they might get and endorse, off their hands and pay \$100,000 for the rights.

Mr. Ricker is a Cornell man who, when he found himself out of school and without place, went into the shops of the Brown's as a machinist, and worked his way to the front. While he has some patents on the adaptation of the cane-loader, he claims only that it is a new use for an old machine.

but little choice, when a tax of 2 per cent on net receipts of other corporations is considered.

"It cannot be said that there is any exemption of insurance companies. All taxation laws must be considered together."

"On the subject of duplicate taxation—it is in a certain sense double taxation, but in another sense it is not a double tax on property. Under the general law of 1896 only tangible property is taxed. When the income on that property is taxed it cannot be called double taxation. It seems to me that there is a distinction between capital and income, just like a government bond. That is the capital, but the coupon you clip from it is not capital, but income."

"Regarding the contention as to penalty, that does not directly concern this case, it is only incidental. The imposition of this penalty is not unconstitutional. I take it that the taxpayer is entitled to a hearing before the tax appeal court under the law of 1896. There is nothing here to show that the penalty can be added without the right to appeal. This act would stand and be operative even if that section is void."

"I don't believe that there has been any objection cited that would hold water. Perhaps one of these minor propositions may be affected, but that would not invalidate the law, as a whole."

"I think that it would be interfering with the legislative powers to declare this act void. Taxes cannot be levied by the executive or judicial departments. This is a right delegated to the Legislature. If it was not allowed to levy taxes, the business of the government would have to be suspended. The discretion left to the Legislature is broad."

"A comparison of the present income tax law with other systems shows it to be extremely mild, both in the matter of discrimination and of exemption. Far more stringent laws have been sustained by the courts."

### MR. HARTWELL REPLIES.

Mr. Hartwell replied briefly to the argument, stating that the Legislature instead of levying this income tax, could have added to the general tax, that the present law was blocked out after the former law, which was declared null and void, and also after the United States law which was overruled by the Supreme Court. If the law contained such radical defects as had been presented it argued that it should be set aside as a whole. Concluding, he said: "The corporation pays a tax only on its net income, while individuals are allowed a deduction of but \$1,000. This discrimination totally precludes the possibility of proportionate taxation and of uniformity."

The question is to be further presented to the Supreme Court on briefs which will be filed Friday. The Supreme Court adjourned to this morning at 10 o'clock, when the hearing in the Pabla case will be resumed.

### IT SAVED HIS BABY.

"My baby was terribly sick with the diarrhoea, we were unable to cure him with the doctor's assistance, and as a last resort we tried Chamberlain's Colic, Cholera and Diarrhoea Remedy," says Mr. J. H. Doak, of Williams, Ore. "I am happy to say it gave immediate relief and a complete cure." For sale by Benson, Smith & Co. Ltd., general agents, H. T.

Hamao plantation, Maui, is to be closed as soon as the present crop of cane is taken off, which will be not later than next April. It is one of the oldest plantations.

net profits? Why a discrimination between the property of an individual and of a corporation? It makes no difference whether the discrimination is in favor of the individual or of the corporation, we claim it is an unlawful discrimination—a capricious one. If you please, a man with an income of \$5,000 a year may have nothing left at the end of a year, yet he is allowed but a thousand dollars. The corporation may have a much less expense proportionately. If that be unlawful discrimination the whole law is illegal, and if that contention be sustained by your honors it would be practically impossible to enforce the law, without that provision.

"Inheritances are taxed under the general law if received before January 1st, yet the income tax provides that inheritances shall be taxed, unless the heirs have paid the inheritance tax. This in my opinion would be a case of duplicate taxation and consequently illegal."

"It may be argued that the present law is not burdensome; no matter how inconsiderable the burden of this law, there is no telling how heavy it will be made in the future if this court holds that no limitations are placed by the constitution upon the Legislature of Hawaii. We all know what it will lead to in the end. It would be a remarkable instance of untrammelled power if the Legislature could do what Congress cannot do. The general law already taxes real estate, and now comes this law and taxes the income upon it."

"Under this law insurance companies pay but 1 per cent, while all other corporations pay 2 per cent. Has the Legislature any power to make such distinction in the class or corporations? If it has then it could provide a separate tax for coffee corporations, sugar companies, etc. It could say that rice planters shall pay so much, sugar corporations so much, and so on through the entire list. If one corporation is picked out, it is an unjust discrimination, not because it would make so much difference in the amount, but because of the principle of the law."

This concluded the argument, at the close of which Judge Galbraith asked: "How could a proportionate tax, as provided by the constitution, be made?"

### MR. LEWIS ADDRESS.

Mr. Lewis followed the opening speaker with a more exhaustive argument, and was liberally from authorities to sustain his points. He began with the general statement of his ground of contention, arguing that the law was invalid for the following reasons: "Discrimination between corporations and individuals; unlawful exemptions, unlawful penalties, taxation of the salaries of the chief justice, and associate justices, and of the circuit judges; taxation of United States bonds; and in conclusion, because the act as a whole was illegal. To begin," said Mr. Lewis, "the income tax as a whole is objectionable, because it makes the burden difficult to apportion. It has never been looked on with favor because it is a tax upon the private affairs of individuals and corporations, and has always been the last tax resorted to by State or Territory."

As to the discrimination, "Corporations are as much entitled to have the protection of the law as are individuals, absolute confidentiality cannot be obtained under any system, but when there is a plain and unjust discrimination as in the case here, it is in violation of the constitution of the United States. The tax is not upon a franchise or business of a corporation, which the government giving the franchise to these corporations may have the right to tax, but this is simply a question of whether the property is owned by an individual or by a corporation. It may be said by counsel on the other side that the \$1,000 exemption makes but little difference in the general distribution of the tax, but this has no bearing, it is the principle that is in violation of the law."

"As to the unlawful exemptions of insurance companies, the underlying principle of taxation is that any such exemption must result from some public service. What have the insurance companies done that they should be subject to such exemption?"

"The Supreme Court has held an exemption of \$2,000 to be unreasonable. Is this exemption of \$1,000 any more reasonable? Is it purely for living expenses? If it is why should only one in a family be exempt? I think this is a case of special legislation against the married men in favor of the single men. If a woman is teaching school, why should she not be exempted, because her husband happens to be working. It seems to place a tax upon industry."

"The law is unconstitutional in that it violates article 5, which provides that no person in a criminal case shall be compelled to testify against himself, and also grants the right of a speedy and public trial. This law requires corporations and individuals to produce their books, and the assessor is given authority to summon witnesses who must give testimony. It provides for the incrimination of self, and gives no protection to a person brought before the assessor to testify. This makes the act illegal in that the constitution provides that no man must testify against himself." Mr. Lewis made numerous citations in support of this contention.

After the noon hour court resumed with Mr. Lewis still speaking.

"I wish to lay particular stress on the words 'false and fraudulent' in the law, the word false may mean untrue or incorrect, and yet the assessor may add a penalty of 200 per cent if this is found to be the case. This punishment is extreme and unlawful, and violates the constitution, which provides that no excessive fines shall be levied, or any undue or unusual punishment inflicted. The taxpayer in this instance has no defense. A 200 per cent penalty is taking property without due process of law."

The estimates of income includes all notes, mortgages and bonds, excepting those of the Territory of Hawaii. It does not say particularly that United States bonds shall be taxed, but it would seem that when exceptions are made in the case of bonds, and United States bonds are not included, it must mean to tax United States bonds, which is also clearly unconstitutional."

Judge Galbraith—"It seems that the Legislature did not mean to tax United States bonds as the returns do not show that."

"One point in my contention," continued Mr. Lewis, "is that if this act is void in parts it is void as a whole. We have pointed out inconsistencies which if court sustains, nullifies the whole law, because it would so mutilate the act that it would not come within the intention of the Legislature which drafted the law. Where parts are intimately connected, and the court believes that the Legislature wanted to pass the act as a whole, would the remainder of the act be valid if it did not come within the intentions of the Legislature?"

The reports show that the classification made by a corporation must be of a nature that the Legislature had a right to make. Congress itself would be bound in exercising taxing powers by the limitations of the constitution. If the Legislature wants to tax corporations greater than under the general law, let it make a franchise tax, but when it proposes to tax property under the conditions of the income tax law, it is going clearly beyond its powers."

MR. ROBERTSON DEFENDS LAW.

Mr. Robertson followed Mr. Lewis in an argument favoring the validity of the law. "There are but two points presented by the opposing counsel which would affect the validity of the act. If the classification of corporations and individuals is held to be unjust discrimination, then the whole act is void. I submit, though, that if the court should hold that the claim of double taxation be sound, it would not have the same effect, but would only exempt the property so affected. The taxation of the salaries of justices of the Supreme Court, of judges of the Circuit Court, and the question of penalties, are not directly involved, and would, if overruled, not result in the setting aside of the act? It would not follow that if those parts were not sustained, that it would void the act as a whole. If the court holds that the penalty attached is excessive and illegal, it does not follow that the law is illegal, but only that such penalties will not be allowed. The section which is declared illegal will necessarily have to be stricken out."

"Congress delegated to the local Legislature a very broad power, as counsel on the other side has already stated. This power extends to all subjects of the Legislature, and the power of taxation is one of them, perhaps the most important delegated to the Legislature by Congress, without qualification. There is nothing to limit the power of the Legislature in the matter of taxation, though there are limitations in many other matters. I contend that by virtue of the broad powers conferred the Legislature is untrammeled in this power, except as limited by the fourteenth amendment to the constitution."

"This amendment, however, does not bind any Legislature to any iron rule. The Legislature may still make taxation laws with such distinctions as the circumstances may require. The levy of any tax implies an exemption of some sort."

"If the owner of a female dog was taxed \$2 and his neighbor, who owned a male dog, was not taxed, he could not come in this court and say he had been unjustly discriminated against."

"How far do you think the court can go in considering the classifications made by the Legislature?" asked Judge Galbraith.

"I don't believe the court can go very far. There is not a single case in the authorities before me where the Legislature proceeded on general lines of taxation of corporations, and was not sustained by the courts."

"It is for the Legislature to decide who and what shall be taxed, and what shall not be taxed. If it is the right of the Legislature to say what shall be taxed, it seems to me it is given also the right to say what shall be exempted. This rule of general exemption is left to the discretion of the Legislature."

"It seems to me that the \$1,000 exemption is a very moderate classification, and the figure fixed by the Legislature is fair and reasonable. As to the complaint regarding insurance companies, I don't see what charge of discrimination can be made here. The general law provides a tax of 1 per cent on gross receipts, which leaves

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The undersigned, general agents of the above two companies, for the Hawaiian Islands, are prepared to insure Buildings, Furniture, Merchandise and Produce, Machinery, etc.; also Sugar and Rice Mills, and Vessels in the harbor, against loss or damage by fire on the most favorable terms.

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C. J. Hutchins, who has been yielding Kona on matters of interest for the Kona Sugar Company, has returned and reported very favorably.



# ROSE RANCH IS NO MORE

## Consolidated With Kahikinui by Raymond.

NO MORE will memories of the old days come with the appearance of the name of the Rose ranch. That memorable old property, the hospitable home of Captain James Makee, which for a generation stood for all that was jolly and homelike on Maui, has been incorporated into the Kahikinui ranch, and hereafter will be Camp No. 1.

Papers were signed yesterday transferring these lands and cattle to Henry Waterhouse & Co. for Dr. J. H. Raymond and his wife. The consideration named in the deed is \$52,500. It is understood that the payment was made in bonds of the Dowsett Estate, Limited, Mrs. Raymond being one of the stockholders in that corporation. The transfer makes Dr. Raymond the largest holder of fee simple lands on the Island of Maui, this purchase adding 16,000 acres to the 5,000 which are so held out of the 39,000 in the Kahikinui estate.

The ranch will be developed in connection with its parent ranch, the Kahikinui, into the most improved cattle estate in the Islands. Already it has been more than 2,500 cattle, and these will be incorporated into the herds of the principal property. There are on the old ranch two fine springs and there will be such development of these as will lead to the opening of new grazing ranges, new fattening paddocks and abundant water supply for the fields all over the estate. The water will be piped and reservoirs constructed as soon as the work can be got under way. This will be of great help to the Kahikinui ranges, as well as to the old ranch.

The latest purchase gives to the Raymond properties 750 acres of fine corn land, which will be added to in great amount when the lantana has been cleared away. The Kahikinui ranch is now the scene of the most systematic fight upon the lantana scourge that is being waged in the Islands. Dr. Raymond has secured a large quantity of the blight which is the natural enemy of the lantana and is inoculating each field where the shrub grows. The effect of the blight is wonderful, for within a day after it has been introduced into the plant it makes itself felt, and soon after there is a blackening of the branches and the life of the lantana must then be measured by a few months only.

The consolidation of the two ranches will make this the largest independent producer of cattle in the entire group, and it is said that from time to time the lines of cattle will be enlarged and extended and the breed improved. This will mean that the number of cattle to be sent into this market will be greatly multiplied. At the present time both of the ranches which are concerned in the consolidation are on a paying basis. Their being brought together and operated under one management will add to the returns from each, while the extension of the water development will mean that there will be ample water for all the stock which may be brought together on the two ranches. In addition to the cattle, which is to be made the principal product of the ranch, there will be some horses raised, not only for the use of the ranch, but some for the market here. In addition there will be interesting experiments with the farming, for the corn crop will be much enlarged and the scope of it altered in time.

The Rose Ranch was developed as one of the first sugar cane growing estates in the Islands a generation ago, when it was the property of Captain James Makee. It was then known as the Makee plantation. The name of the ranch, the Rose Ranch, came from the professor of roses which were grown there when it was the home of Captain Makee. The ranch finally was abandoned as a sugar estate and was given over to the raising of cattle. Then it came under the hammer and was sold to James I. Dowsett for \$84,500. Since it has been handled as a cattle proposition and has done well all the time. Its cattle have been kept up to the mark, until it is said that they are of the very best on the Island.

The Rose Ranch was the home of Mrs. E. D. Tenney, Mrs. Colonel Spaulding, Mrs. Dr. Herbert, Mrs. Dr. Carmichael and Mrs. Noonan and was one of the best-known houses in the group. In old times it was always opened during each year and the entertainments were always elaborate and well attended. There is a magnificent house and all the outbuildings which go to make up a great estate. It is possible that there will be a headquarters established at Ulupalakua for the entire system of Raymond properties on account of the buildings.

After the signing of the papers, transferring the property from the estate company to Henry Waterhouse & Co. for Dr. and Mrs. Raymond Dr. Raymond left for his home to assume control of the ranch property. His manager, Bellina, will have full charge under him.

Mr. Fred Weed of the Williams undertaking establishment stated last night that there has been a fearful increase in the death rate of infants within the past month or so. "Out of every five deaths," said he, "the average is at least three infants under two years old. We have had a remarkable number of infant burials, and on some days we have buried as many as four. I do not know what is the cause of it, perhaps it is the heat, or perhaps the condition of the water at this time of the year is accountable. At any rate the number of deaths among the little ones has been appalling the past two months. They are mostly Hawaiians."

# THE WEATHER SUMMARY FOR THE MONTH OF JULY LAST

Temperature mean for the month, 77.8, normal, 77.3; average daily maximum, 83.9; average daily minimum, 72.7, average daily range, 11.2, greatest daily range, 18 degrees, least daily range, 7 degrees, highest temperature, 85 degrees; lowest, 57.

Barometer average, 29.969; normal, 29.995 (corrected for gravity by -.05); highest, 30.06, on the 19th; lowest, 29.88, on the 24th; greatest 24-hour change, .08. On account of the evenness of pressure, "lows" and "highs" were hardly distinguishable, low pressure may be noted on the 4th and 24th, and high on the 11th and 19th. The barometer has been below the normal for four months in succession.

Relative humidity, 68; normal, 66.8; mean dewpoint, 66.2; normal, 65.1; mean absolute moisture, 7.07 grains to the cubic foot; normal, 6.81.

Rainfall, 1.53 inches; normal, 1.80, greatest record days, 25; normal, 19; greatest rainfall in one day, 0.42, on the 6th; total at Luakaha, 8.75, at Kapiolani Park, 1.10, at Kalihi-uka, 2.50 inches fell on the 6th. Total rainfall since January 1, 22.94 inches; normal, 20.62.

The artesian well water stands at 33.40 feet above mean sea level at the Punahou well. The average mean sea level for the month stood at 10.42 feet above an assumed base, 9.00 being hydrographic zero (low water) and 10.00 standard mean sea level.

Trade-wind days, 30 (1 of N.N.E.), normal for July, 29; average force, Beaufort scale, 2.7 (16 statute miles per hour). Cloudiness, tenths of sky, 4.4; normal, 4.0. Upper currents of air mostly from S.W.

Percentages of district rainfall as compared with normal: Hilo, 40 per cent; Hamakua, 17; Kohala, 20; Waimea, 14; Kona, 125; Kau, 50; Puna, 250; Maui, probably 100. Oahu, 100. Kaula, 250 to 320. The lack of water in North Hawaii is quite serious.

Mean temperatures. Pepeekeo, Hilo district, 100 feet elevation, average maximum, 78.6, average minimum, 69.3. Waimea, Hawaii, 2,730 elevation, 77.8 and 65.9; Kohala, 521 elevation, 80.9 and 71.3; Ewa mill, Oahu 50 elevation —; Kulaokahua, W. R. Castle's 60 feet elevation, highest 87, lowest 68; average 77.9. The prevailing heat of the northern hemisphere has not affected these Islands.

No earthquake reported. It is unofficially reported that Kilauea shows fire through its floor. Thunder and lightning on Hawaii 18th on Oahu 19th. Snow fell on Mauna Kea 18th. Heavy swell on the 3d, 9th to 14th, and on the 23th.

On June 30th large quantities of fresh pumice-stone were found floating in the bay at Kealahou. The high average level of the sea for the months of June and July has attracted some attention. It is doubtless due to meteorological conditions perhaps in the South Pacific.

CURTIS J. LYONS Territorial Meteorologist		
Kukunahia	700	0.65
Kohala		
Awai Ranch	1100	
Niuli	200	1.01
Kohala (Mission)	521	1.37
Kohala Sugar Co.	235	
Hawi	300	
Hawi Mill	600	1.47
Waimea	2720	0.32
Kona:		
Kailua	950	6.61
Kealahou	1580	8.07
Honopoulo	25	
Napoo	15	0.26

## WILL RAISE SUGAR FOR OLAA MILL

(From Wednesday's daily.)

Articles of association of the Keauau Land and Planting Company, Ltd., were filed yesterday. The new company has a capital of \$50,000 and will engage in the cultivation of sugar cane.

The incorporators are: J. F. Clay, Henry A. Gerlach, J. Hastings Howland, A. R. Cameron, Jos. P. Lino, Jr., Frank Sakamaki, Mrs. E. A. Haron, Charles Cowan, H. O. C. Isenberg, Chas. R. Blake, C. J. Giddings, A. G. Curtis, F. R. Giddings, J. Iwasaki, J. P. Lino, Sr., E. D. Lance, Jas. P. Lino, James Scott, J. A. Magoon, B. Onome, W. H. Lambert, R. W. Blake, W. D. Schmidt, Miss Frances Washburn, L. F. Turner, W. S. Wise, trustees. Johnson Nickless, who jointly hold 125 shares of stock valued at \$37,500, or three-quarters of the total stock.

The principal place of business of the corporation shall be at Olaa, on the Island of Hawaii.

The purposes outlined are: To raise cane and other agricultural products, and anything which shall enter into the manufacture of sugar and molasses, and to carry on a sugar plantation and general agricultural business.

To buy, sell and lease water rights, reservoirs, tramways, wharves, warehouses, etc., needed for conduct of such business. The capital stock is \$50,000, divided into 2,500 shares of \$20 each, and the limit of the capital is placed at \$500,000.

The officers for the first year are: L. F. Turner, president, Hilo; J. F. Clay, vice president, Olaa; A. G. Curtis, secretary, Olaa; James Scott, treasurer, Olaa; Chas. R. Blake, auditor, Olaa.

The Keauau Company has purchased two hundred acres of sugar land near the Olaa mill, on the line of the Hilo railroad, in Hawaii, and will plant with cane immediately. The company is under contract to have the cane ground at the Olaa mill and will acquire more land as it goes on.

## Plantation Managers Meeting

Managers of plantations of the entire group will meet in this city next Monday, at 10 o'clock a. m., for the purpose of considering the labor situation. There will be a general conference which will touch upon the various features of the situation, and the necessity for new laborers. The managers have been holding meetings throughout the Islands for several weeks, and the meeting here will be for the purpose of getting in shape for a final decision upon the course to be followed. The directors of the Sugar Planters' Association will meet with the managers.

Kahuku	1630	2.78
Nalehu	650	1.03
Hilea	310	3.10
Pahala	850	1.21
Moaula	1700	3.17
Puna		
Volcano House	4900	2.80
Olaa		
Kapoho	110	
Kalapana	3	

MAUI		
Lahaina		
Waipae Ranch	700	0.00
Kaupo (Mokulau)	285	4.85
Kipahulu	300	5.65
Hamao Plantation	60	2.76
Nahiku	60	
Nahiku (Lemmon)	900	10.56
Haiku	700	3.52
Kula (Erehwon)	4500	1.01
Puomanae	1400	
Pala	180	1.14
Haleakala Ranch	2000	1.94
Wailuku	200	

LANAI		
Keomuku	6	
OAHU		
Punahou (W. Bu'ru.)	47	1.53
Kulaokahua	50	0.59
Kewalo (King St.)	15	0.87
U. S. Naval Station	6	0.48
Kapiolani Park	10	1.10
Manoa (Woodlawn D.)	285	5.54
Makiki Reservoir	150	1.84
School St. (Bishop)	150	1.95
Pacific Heights	700	4.11
Insane Asylum	30	1.72
Kalihi-uka	260	8.60
Nuuanu (W.W.Hall)	50	1.43
Nuuanu (Wyllie St.)	250	3.09
Nuuanu (Elec.Stn.)	405	4.22
Nuuanu (Luakaha)	850	8.75
Waimanalo	25	1.20
Maunawili	300	4.02
Kaneohe	100	
Ahuimanu	350	7.24
Kahuku	25	2.26
Wailua	20	
Wailua	400	2.00
Ewa Plantation	60	0.68
Waipahu	200	1.18
Maunaloa	15	

KAUAI		
Lihue (Grove Farm)	200	5.90
Lihue (Molokaa)	300	12.36
Lihue (Kukua)	1000	4.49
Kealia	15	
Kilauea	325	9.91
Kau		
Hanalei	10	11.80
Kilauea (Wyllie St.)	32	1.83
Elele	200	4.72
Wailua Mt.	2100	28.25
McBryde's (Res.)	350	8.61

## TOO LATE FOR LAST REPORT JUNE, 1901

Nuuanu (Wyllie St.)	2.88
Kula (Erehwon)	3.11
Kahikinui (Maui)	0.36
Laupahoehoe	0.95

N. E.—Observers are especially requested to forward their reports promptly at the end of each month, and to report regularly and continuously.

CURTIS J. LYONS,  
Territorial Meteorologist.

## RAINFALL FOR JULY, 1901.

Stations—	Elev.	Rain
	(Feet)	(Inches)
HAWAII		
Hilo		
Waiake	50	4.76
Hilo (town)	100	
Kaunama	1250	7.19
Pepeekeo	100	4.79
Hakalau	200	4.01
Honohina	300	3.83
Laupahoehoe	500	
Ookala	400	1.45
Hamakua		
Kukui	250	0.70
Pauilo	750	0.85
Pauibau (Gibb)	300	0.44
Pauibau (Greig)	1150	0.50
Honokaa (Muir)	425	0.57
Honokaa (Rickard)	1900	0.30

## HONOLULU JOINS.

In Paying Tribute to Doan's Backache Kidney Pills

A young man went to a wealthy and successful manufacturer and applied for employment.

"What can you do?" the manufacturer asked, and the young man proceeded to tell of his ability.

"But I don't want to know what you say you can do," the gentleman replied, "let me know what others say you have done; bring me recommendations from people I know and can trust."

It's the same way with the little conqueror and the public; people want to know what has been done.

Honolulu people are joining the myriads of others in making public the work of this little modern wonder and what your neighbors say should convince the skeptic. The endorsement of citizens is the proof that goes with every box of Doan's Backache Kidney Pills.

Mr. W. F. Williams of this city, is a light-house keeper, and he has held this position for the last 20 years. He says: "I was for a number of years, one of that numerous army of people who suffer with their backs. Mine ached and pained me to no small extent, so that I was glad when I heard of a remedy for K. Doan's Backache Kidney Pills. I obtained some of these at the Hollister Drug Co.'s store, and took them. They gave me great relief, and I make this short narrative of my experiences for the benefit of others who perhaps do not know that nearly all backache arises from the kidneys, and the best medicine for it is Doan's Backache Kidney Pills."

Doan's Backache Kidney Pills are 50 cents per box, for sale by all druggists; sent by mail on receipt of price by the Hollister Drug Co., Honolulu wholesale agents for the Hawaiian Islands.

## Why the Peking Was Detained.

The Pacific Mail steamer City of Peking which was to have sailed yesterday noon says the Japan Advertiser of July 25, has been detained owing to one of the Chinese firemen having been discovered to be suffering from a disease resembling smallpox. As the exact nature of the disease has not yet been determined the steamer is to sail for the Nagahama quarantine station at 9 this morning.

# THEY WANT TO KNOW

## Washington Wants Health Report of Honolulu.

COMMANDANT MERRY of the Naval Station has made a request to the Board of Health of Honolulu, which desires to forward to Washington upon the request of the authorities there. The Board of Health at its meeting yesterday agreed to furnish the facts desired by the Government, and the work was entrusted to Executive Officer Pratt. It will bear upon the general health of the city, and also contain all facts regarding Honolulu, which may be required by the Naval Department. The purpose of the report was not stated by Captain Merry, but it no doubt will have a bearing upon the transport service through Honolulu, and its future relation regarding this city as a stopping place for all vessels of the Navy.

A report was received that some of the cattle at Honolulu were supposed to have tuberculosis, and it was ordered that a rigid inspection be made. Dr. C. A. Davis was appointed inspector of cattle for the District of Ewa, and will make an examination of the alleged diseased cattle. He is given full power by the Board to destroy all meats deleterious to the public health.

President Wright of the Wilder Steamship Company appeared before the Board and made a statement regarding the carrying of freight for the Board. He had made a tender under the bids advertised for, and his is the only one received so far. It was decided not to open the bids or let contracts before the next meeting, when a full attendance of the Board is hoped for.

A tender was received from D. Kapawai offering to furnish pail for the leper settlement at \$1.25 for twenty-one pounds each, offering also to pay the steamer freight.

The bid was referred to Mr. Reynolds, who has several bids for the same contract under consideration.

The request of Senator Wm. White for permission to visit the settlement was granted. He wants to close up a land deal with one of the lepers, and agrees not to go beyond the stockade.

The appointment of Robert Henderson as registrar was made permanent.

A rather queer letter was received from Charles Moore, who was recently appointed fish and pol inspector at Hilo. Moore inquires if he is disqualified from serving because he was told by the sheriff of Hilo that he was about to be arrested for permitting Fujihara, the murderer, to escape, of whom he was jailer. The Board held that because he was a poor jailer could have no bearing upon his qualification as an inspector of fish and pol, and the secretary was instructed to notify him to that effect.

The effort to secure a physician for South Kohala is still unsuccessful and the Board is in a quandary as to what to do in the matter. A letter was read from Dr. B. D. Bond of North Kohala saying he knew of no physician residing in the southern district and recommending that the physician at Kona be given the appointment. He suggests also that if he will not accept to call upon Dr. C. A. Peterson of Honolulu and try to induce him to go there and locate.

Another hard proposition was presented to the board in a request from Dr. John Weddick, of Maui, for a sanitary inspector at that place. The board recognizes the necessity of such an official, but has no money to pay him. Judge McKay, of Maui, who happened to be in the building was called into consultation in the matter, and suggested that the sheriff be given the appointment if he could be induced to accept. The matter was referred to the secretary with the request that he write to L. M. Baldwin, of Maui, for suggestions.

A report was read from Malulu Hospital giving the receipts and expenditures for July showing a cash balance of \$252.70. Forty-nine patients were treated during the month divided as to nationality as follows: Hawaiians 2, Europeans 23, Chinese 3, Japanese 20, and 1 other.

It being reported that some of the streams about the city were being polluted by washing therein, an opinion was requested from the Attorney General as to the right of the health officers to arrest such offenders if caught in the act. Mr. Dole held that the health authorities had such right.

## THE PROBLEM OF PAIN

There is no person who has grown to mature years and experience who has not suffered aches and pains, which raised the question: "Why is pain permitted?" Generation after generation has asked that same question, sometimes in doubt often in rebellion. But all speculation on the problem is valueless. The fact that faces us is that pain is here, ever present, ever powerful. The great question is not why pain is permitted, but how a pain be stopped. And it is at this point the savage steps in with his solution in the form of Kickapoo Indian Oil. No matter where the pain is located, or what the character of the pain, Indian Oil drives it away with a promptness and power possessed by no other remedy.

It is a specific for the cure of sick headache that bane of the nervous. It overcomes rheumatic and neuralgic pains. It reduces inflammation, and heals strains, sprains and bruises. It is good for internal as well as external use, and cures cramps, colic, cholera, morbus and kindred ailments. It is equally effective for beast as it is for man, as can be proven by a single trial. This powerful remedy, in which emollients are blended with healing herbs and the essential strength of rare barks and roots, is the sole reliance of the sturdy Indian, both for himself and his pony. It is the product of centuries of experience and experiment. HOBSON DRUG COMPANY, Agents for Kickapoo Medicine.

# SKIN TORTURES

And Every Distressing Irritation of the Skin and Scalp Instantly Relieved by a Bath with CUTICURA SOAP

And a single anointing with CUTICURA, the great skin cure and purser of emollients. This is the purest, sweetest, most speedy, permanent, and economical treatment for torturing, disfiguring, itching, burning, bleeding, scaly, crusted, and pimply skin and scalp humors with loss of hair, and has received the endorsement of physicians, chemists, and nurses throughout the world.



## Millions of Women

USE CUTICURA SOAP, exclusively, for preserving, purifying, and beautifying the skin, for cleansing the scalp of crusts, scales, and dandruff, and the stopping of falling hair, for softening, whitening, and soothing red, rough, and sore hands, in the form of baths and for annoying irritations, inflammations, and chaffings, or too free or offensive perspiration, in the form of washes for ulcerative weaknesses, and for many sanative antiseptic purposes which readily suggest themselves to women, and especially mothers, and for all the purposes of the toilet, bath, and nursery. No amount of persuasion can induce those who have once used it to use any other, especially for preserving and purifying the skin, scalp, and hair of infants and children. CUTICURA SOAP combines delicate emollient properties derived from CUTICURA, the great skin cure, with the purest of cleansing ingredients and the most refreshing of flower odors. No other medicated soap ever compounded is to be compared with it for preserving, purifying, and beautifying the skin, scalp, hair, and hands. No other foreign or domestic solid soap, however expensive, is to be compared with it for all the purposes of the toilet, bath, and nursery. Thus it combines in ONE SOAP at ONE PRICE, the BEST skin and complexion soap, the BEST toilet soap and BEST baby soap in the world.

Complete External and Internal Treatment for Every Humour, Consisting of CUTICURA SOAP, to cleanse the skin of crusts and scales and soften the thickened cuticle, CUTICURA Ointment, to instantly allay itching, inflammation, and irritation, and soothe and heal, and CUTICURA Resolvent, to cool and cleanse the blood. A single box is sufficient to cure the most torturing, disfiguring, and humiliating skin, scalp, and blood humors, with loss of hair, when all else fails. Sold throughout the world. Aust. Depot: E. TOWNS & CO., Sydney, N. S. W. So. Africa Depot: LEXON LTD., Cape Town. All about the Skin, Scalp, and Hair," free. FORTA'S DRUG AND CHEM. CO., Sole Props., Boston, U. S. A.

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PEKING	AUG 24	CHINA	AUG 27
GAEIC	SEPT 3	DORIC	SEPT 10
HONGKONG MARU	SEPT. 11	NIPPON MARU	SEPT 12
CHINA	SEPT 19	PERU	SEPT 20



